



# ANNOTATED AGENDA

**REGULAR JOINT MEETING OF THE  
CONCORD CITY COUNCIL  
AND REDEVELOPMENT AGENCY**

**Monday, April 27, 2009  
6:30 p.m. – Regular Joint Meeting  
City Council Chamber  
1950 Parkside Drive, Concord, CA**

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**5:30 P.M. - CLOSED SESSION  
CITY COUNCIL CONFERENCE ROOM**

**I. ROLL CALL – Councilmember Allen absent.**

**II. PUBLIC ANNOUNCEMENT (Open Session)**

**III. PUBLIC COMMENT (Open Session) - None**

**IV. CLOSED SESSION:**

- a. Conference regarding Real Property Negotiation pursuant to Government Code Section 54956.8 –

Property: Sleep Train Pavilion at Concord  
City Negotiators: City Manager Daniel E. Keen and Assistant City Manager  
Valerie Barone  
Negotiating Party: Live Nation  
Under Negotiation: Price and terms of payment for Pavilion Facilities  
Management Agreement

**ACTION: Closed Session held.**

**V. ADJOURNMENT – at 6:30 p.m. to reconvene in the Council Chamber.**

**6:30 p.m.  
Council Chamber**

**ROLL CALL – Councilmember Allen absent.**

**PLEDGE TO THE FLAG – Councilmember Shinn**

**PUBLIC COMMENT PERIOD**

Edi Birsan, Concord, expressed his opinion that City staff should be deputized to prosecute the criminal activities that the District Attorney’s office has stated they will not prosecute due to budget constraints.

Tommy Larragueta, Concord, submitted a self-designed brochure entitled “Concord BMX Park” and shared his ideas on meeting the needs of local youth by providing a BMX Park in Concord.

**1. PRESENTATIONS**

- a. **PRESENTATION** – to Cindy Gershen, Director of the Wellness City Challenge, accepting the Challenge to raise awareness of the benefits of a balanced daily diet on the health of the community. **Presentation by Mayor Hoffmeister.**

**ACTION: Mayor Hoffmeister presented Cindy Gershan, Director of the Wellness City Challenge, with a proclamation proclaiming the City participation in the Wellness City Challenge.**

- b. **PRESENTATION** – to Cosmo Tedeschi and the Concord Bocce Federation proclaiming Monday, April 27, 2009 as “Concord Bocce Federation Day” in the City of Concord. **Presentation by Mayor Hoffmeister**

**ACTION: Mayor Hoffmeister presented a Proclamation to Cosmo Tedeschi.**

**2. ANNOUNCEMENTS – None**

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**CITY COUNCIL  
MATTERS**

**3. CITY COUNCIL CONSENT ITEMS:**

- a. **Approving** – minutes of the meeting of April 6, 2009. Recommended by City Clerk.

**ACTION: Minutes approved.**

- b. **Adoption of Ordinance 09-1** – amendment to the Concord Municipal Code Chapter 2 (Administration) and Chapter 26 (Election) pertaining to the office of the City Clerk to reflect the voters decision to have the position filled by appointment and deleting reference to the election cycle, compensation, campaign statement requirements, and filing requirements. Ordinance 09-1 was introduced by reading of the title only on April 13, 2009.

**ACTION: Ordinance 09-1 adopted. (4-0-1, Allen absent)**

- c. **Approving** – a new Policy and Procedure No. 155, Identity Theft Prevention Program, created in order to comply with regulations ("Red Flag Rules") issued by the Federal Trade Commission (FTC) as part of the implementation of the Fair and Accurate Credit Transaction (FACT) Act of 2003. Rescheduled by staff from the meeting of April 13, 2009 for additional review. Resolution 09-28 for adoption. Recommended by City Attorney.

**ACTION: New Policy and Procedure No. 155 approved; Resolution 09-28 adopted. (4-0-1, Allen absent)**

- d. **Approving** – a request from the City of Pleasant Hill to allow SunValley Mall and certain other City of Concord commercial properties to be included in the Pleasant Hill Landscaping and Lighting Assessment District #20, Commercial Area Landscaping and Lighting. Resolution No. 09-34 for adoption. Recommended by Director of Public Works.

**ACTION: Resolution 09-34 adopted. (4-0-1, Allen absent)**

- e. **Approving** – a budget transfer in the amount of \$71,586 from Fund 452, Parkland Fees, Project No. 2086, Replace Maintenance Building at Hillcrest Park, to Fund 700, Golf Course Enterprise Fund, Project No. 2058, Cart Barn Electrical Improvements. Recommended by Director of Building, Engineering and Neighborhood Services.

**ACTION: Budget transfer approved.**

4. **CITY COUNCIL CONSIDERATION ITEM:**

- a. **Consideration** – of the City of Concord City Council members to voluntarily agree to a 5.0% reduction in their salaries for the Fiscal Year 2009-2010 due to the immediate financial challenges facing the City. Resolution No. 09-35 for adoption. **Report by City Attorney.**

**ACTION: Report heard; Resolution No. 09-35 adopted. (4-0-1, Allen absent)**

5. **CITY COUNCIL PUBLIC HEARING**

- a. **Consideration** – of the draft 2009-10 Action Plan containing the Community Service Commission’s recommendation for **Community Grant Funding** in all project categories from Federal Community Development Block Grant Funds (CDBG), City of Concord General Fund, and Child Care Developer Fees. **Report by Teri House, Community Services Manager.**

**ACTION: This item was continued to May 11, 2009 as the Department of Housing and Urban Development has been delayed in announcing the Fiscal Year 2009-10 CDBG entitlement grant funding allocations to all jurisdictions.**

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6. **CITY MANAGER COMMENTS**

- a. Update on the current budget forecast. **Report by City Manager Dan Keen.**

**ACTION: Report presented by City Manager.**

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7. **CORRESPONDENCE** – City Council correspondence not selectively included in the following list is available for inspection during normal business hours by contacting the City Clerk at 671-3495.
  - a. Brochure entitled “Concord BMX Park” submitted by Tommy Larragueta during Public Comment period.
  - b. Pamphlet entitled “Concord Bocce Federation 2009” submitted by Cosmo Tedeschi during the presentation made to him by Mayor Hoffmeister.
  - c. Flyer presented by Cindy Gershan entitled Wellness City Challenge.
  
8. **CLOSED SESSION REPORTS - None**
  
9. **COUNCIL AND STAFF REPORTS - None**
  
10. **ADJOURNMENT – at 7:28 p.m.**

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NOTICE

There is a 90-day limit for the filing of a challenge in the Superior Court to certain City administrative decisions and orders which require a hearing by law, the receipt of evidence, and the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge an action taken by the City Council in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting, regardless of whether it is a regular or special meeting (Policy and Procedure No. 2, Section 4.24). For information on the next regular or special City Council meeting, please call (925) 671-3495.

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**NEXT REGULAR CITY COUNCIL MEETING: Monday, May 4, 2009**

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**MEETING RECORDS**

Audio cassette tapes, videotapes and DVDs of most City Council meetings are available for listening or viewing at the City Clerk's office. Copies of the videotapes or DVDs may be purchased. Contact the Community Relations Manager at (925) 671-3272 for further information.